

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38829 of 2019

Arising Out of PS. Case No.-149 Year-2018 Thana- NIMCHAKBATHANI District- Gaya

Tarun Chaudhary S/o Rajendra Chaudhary @ Rajendra Chaudhari R/o
village- Singhapur, P.S.- Nimchak Bathani, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Chandra Patel, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 26.11.2018 has filed the instant application for grant of bail in connection with Bathani P.S. Case No. 149 of 2018 registered for the offence punishable under sections 147,148,149,447,323,307,504 and 302 of the Indian Penal Code.

As per the allegation in the FIR, the petitioner is said to have given a lathi blow on the head of the father-in-law of the informant as a result of which he fell down unconscious. It is stated that he is being treated in hospital.

It is submitted by learned counsel for the petitioner that the injured father-in-law of the informant and the petitioner are related as uncle and nephew. The altercation took place due to land dispute amongst the family members as a result of which



the petitioner was assaulted first by his uncle. It is further submitted that there is case and counter case. The case having been lodged by the petitioner has been brought on record as Annexure 2 to the application. It is also submitted that the petitioner is in custody since 26.11.2018 and has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the assault has taken place as a result of land dispute amongst the family members who are uncle and nephew and that the petitioner is in custody since 26.11.2018, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate X, Gaya in connection with Bathani P.S. Case No. 149 of 2018.

(Partha Sarthy, J)

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